

Interview with Penn State President Rodney Erickson

Monday, November 5, 2012

Citizens' Voice reporter Mike Sisak spoke with Erickson in his campus office a year to the day after prosecutors charged former defensive coordinator Jerry Sandusky with child-sex abuse and two former administrators, Tim Curley and Gary Schultz, with covering up a 2001 abuse allegation. The interview ran for 23 minutes. Here is a transcript:

Q. It has been a year since the arrest, since this blew open. Does it feel like a year to you, or does it feel like a decade? How does it play on your mind?

A. In some ways it has gone by remarkably fast. When the days are so full, as my days have been over the course of the last year, it has gone by quite quickly.

Q. When this was coming down, did you have any indication — maybe weeks out or days out — that charges were coming, or was it sort of a surprise to you?

A. No, I didn't find out until, I think it was, the day before.

Q. That Friday?

A. The day before — it was either the Thursday or the Friday. I think it was the Friday before the presentment was made public.

Q. In those first couple days, or even then when you found out, did you ever expect it to be as severe as far as the effect on Penn State? The black eye, so to speak, that was cast on Penn State?

A. Well, I was horrified when I read the presentment, which was somewhat later — probably a day or so after I knew that there would be charges that would be filed. I have to say I was horrified by what I had read. I never had read anything like that. Certainly had never associated anything like that with Penn State. It was really, really a very difficult thing for me and I'm sure for the rest of the Penn State community to get their arms around.

Q. And then, sort of the backlash, so to speak, on the campus. Quickly the focus seemed to shift from Sandusky, and all the bad things he was accused of and ultimately convicted of, to Penn State. You had cameras out here on Old Main. You had people calling for your predecessor (Graham Spanier) to be fired. He ultimately was. That Wednesday there were riots out here. Could you have foreseen any of that? Did it just sort of blow up?

A. It did come in rolling waves. It certainly was unexpected in the way it all unfolded. Certainly now, looking back on it, the nature of the presentment against Mr. Sandusky was such that actions had to be taken and the board took some very deliberate actions then.

Q. What was the transition like to your appointment as president? Was that sort of a whirlwind?

A. Short. I was asked to serve on Wednesday night (Nov. 9, 2011) and on Thursday morning I was meeting with the board of trustees serving as president.

Q. There seemed to be a culture shift here after you took over toward openness and transparency. In your first address to the media, I think you said, you would be as open and transparent as you could be, given the circumstances of the investigations. It seemed like investigators found the openness and transparency refreshing because there was a subpoena that they issued in December of 2010 that your predecessor sat on for 11 months. And then, as soon as he was out of office, a lot of the information that was ultimately in that presentment last week came to light. Is that rooted in you? Is that something that you wanted to happen? That there was no longer going to be the iron curtain, so to speak?

A. Well, I can't comment on what was involved before I took office. I wasn't involved in that at all. But I made those promises, as you recall, Mike, the day that I spoke to the board publicly and one of those was to be as open and transparent as we could be. We began to put out a lot of information about what was happening at the university. We put out contracts. We put out the costs that we were incurring in the investigations and the legal services. We're putting out information on contracts — my own, as well as other senior leaders at the university. We're putting out information on coaches' salaries and things like that. We're putting out information on our progress in implementing the recommendations of the Freeh Report. We want to have people be aware of what's going on. We've put up a lot of other information, such as why certain decisions were made and so forth. That's the way that I operate, want to operate and I said also, when I took office, that we would cooperate fully in all investigations surrounding this — whether it be the attorney general or the U.S. Department of Education — we would comply fully and we would comply with all due speed in terms of doing it.

Q. Have you been interviewed or testified as a result of those investigations?

A. I have been interviewed by a team from the U.S. Department of Education, the attorney general's office, and I testified before the grand jury.

Q. The state grand jury or the federal?

A. State.

Q. And the state AG?

A. State AG.

Q. And nothing, as far as you know, looking at your role in anything? This is involving stuff that happened before you took over as president?

A. The judge instructed me not to say anything about my testimony other than that the fact that I did testify, but I'm not a target of the investigation.

Q. You mentioned the openness. Would you support having Penn State be subject to the same right-to-know laws as universities that are part of the state system, towns, boroughs, cities that sort of thing?

A. The answer there would be there are certain aspects of right-to-know that I think we could and should be included on. For example: having the same requirements for our police force that municipal agencies would have. We're a large force now and we operate in many ways like a municipal agency would. There are other aspects where we're different. Issues such as fundraising — donors wanting to remain anonymous. We do over \$100 million worth of research a year. That's supported by companies. Some of that involves various kinds of intellectual property that they bring to the research, or trade secrets, things of that nature. There are some areas where we would probably operate more like a state agency but there are many, many others where we're not a typical state agency.

Q. What about in terms of your emails, senior administrators' emails related to the operation of the university, documents that don't necessarily involve research or intellectual property but are involving the operation of the university, just like the operation of a government might be subject to that law?

A. We're not a government agency that receives 100 percent of its support from the taxpayers or from taxpayer fees and that sort of thing. About 6 percent of our budget comes from the Commonwealth. One wouldn't expect, for example, the University of Pennsylvania, which receives close to \$30 million for its veterinary school, to be treated like a state agency. Similarly, private universities around the commonwealth receive institutional assistance grants, unrestricted grants to their operations, but yet they're not subject to that level of the opening of everything.

So, we'll continue. We've been in discussions, ever since I've been president, with the members of the general assembly and the administration on this issue and I expect it will come up again when a new general assembly is seated. We'll continue to work with the general assembly and the administration to hopefully find a resolution that it appropriate for all of the state-related universities.¹

¹ In Pennsylvania, four major public universities operate independently from the state's control using the legal designation "state-related." The schools, Penn State, Temple, Pittsburgh and Lincoln, receive a portion of their funding from the state, but it is a far lower percentage than institutions in the Pennsylvania State System of Higher Education, such as Bloomsburg or East Stroudsburg. The "state-related" institutions are not subject to the bulk of the state's right-to-know law.

Q. Right after this story broke a year ago there was discussion about possibly going private or using the Cornell model for the future of Penn State. And then some called for it to be more of a state institution, more state funding like East Stroudsburg or any of those type schools. Is there any progress one way or another, or is Penn State remaining in the way that it has been?

A. We're a public land-grant university and my hope is that we will long continue to receive some support from state government. I don't subscribe to the approach of privatization. I'm not sure, at this point, what future kind of structure that will evolve toward but I think those are discussions that the Board of Trustees and certainly my successor will be addressing. But, I don't see any short-term kinds of changes.

Q. This case obviously it involves now three former members of the administration: Graham Spanier, Tim Curley and Gary Schultz. The university is paying for legal counsel for those — I believe for at least for Curley and Spanier, I'm not sure about Schultz.

A. Yes, Schultz as well.

Q. Schultz as well? I understand that's part of the university's bylaws. Is that something you would look to change in the future? It seems almost like a Catch-22 or something where you're paying for people who are representing individuals who the university is no longer associated with and has publicly disowned in many ways, with the Freeh Report, the firings and the like. Is there some room for improvement there, or change?

A. The board may want to look at that in the future, but it's almost universal among universities, organizations of this type that senior officers of the university are indemnified in terms of covering their legal costs.

Q. Is that coming out of the university's general fund or is that an insurance policy that's pays for that?

A. It's an insurance policy. You're probably familiar with something called directors and officers insurance. That pays those kinds of costs. There's a deductible in that. For the deductible, we've used internal funds that are non-taxpayer, non-donor and non-student-tuition.

Q. The settlement folks that you brought in, Mr. (Kenneth) Feinberg and Mr. (Michael) Rozen, they mentioned — Mr. Rozen mentioned that the university has a goal of maybe settling those (Sandusky) victim lawsuits or victim claims by the end of the year. Would that be on track? Is there any progress in that regard?

A. It's difficult for me to say at this point, Mike, because I haven't had a recent conversation about that.

Q. Is there a cap on how much the university is willing to pay out total?

A. No. This is not like a capped fund, such as the World Trade Center situation or the Virginia Tech state fund. We will work with the victims' attorneys, at this point through Mr. Feinberg and Mr. Rozen, and obviously we will work with our insurance carriers as well.

Q. The NCAA sanctions, obviously a subject that had a lot of disagreement among alumni, fans, etc. I understand that there was a report that (executive committee chairman) Ed Ray said that the death penalty never came on the table. Was that report accurate? Inaccurate? Was the death penalty discussed with you?

A. Oh, absolutely. I think I spelled this all out on my report to the trustees.² You may want to go on their website and you can get the full information there.

We were initially responding to the Nov. 17 letter. That was our directive from the NCAA.

Mr. Emmert called me early the following week (July 2012) and said basically the NCAA boards want blood and the only way we have a chance to avoid the death penalty — multiple years of the death penalty — was to try to move toward a consent decree of severe sanctions.

(Paraphrasing Emmert)

“The only reason you’re getting this chance is because you haven’t had major violations in the past. You have engaged an investigation already of the activities that are taking place and you have put new leadership in too, from the board to the president to the athletic director to the coach.”

Q. Another area of debate: Joe Paterno’s legacy, long-term, on this campus. I understand the statue is down. His name remains on the library. His ice cream is still served at the creamery. Ten, 20 years from now, if you had your say, how would he be handled and remembered here?

A. As I’ve said, I don’t think anything will erase the contributions that Paterno made to the academic side of the university. The fact that he and his family’s name is on the library speaks to the importance that he placed on academics, on students graduating, on the degree as the ticket to long-term success, knowing that only very few of those student-athletes who played for him would ever go onto long-term success in the professional ranks. My thought would be that that Paterno name should remain on the library for as long as the library stands. There are other aspects that I think time and perspective will have to contribute to those discussions and I would hope that at some point we would be at a place where we can view Joe Paterno’s contributions to the university and the many positive contributions that he made in a way that will unify the Penn State community rather than to continue to drive it apart.

² Erickson’s report to the Penn State Board of Trustees (pp. 5-8)
<http://www.psu.edu/trustees/pdf/august122012minutesbot.pdf>

Q. What are we talking about if we're here a year from now, five years from now, 10 years from now? How is Penn State viewed, in your mind, throughout the state and throughout the country?

A. I think most individuals, most of the public and certainly the Penn State community know that Penn State is a great academic institution. It was a great academic institution last year at this time. It is today and it will be for many years to come. That's something you can count on because the faculty, staff and students will drive it. That's part of our culture, that's part of the resilience and sense of resolution that Penn Staters have. In many ways it's reflected in Bill O'Brien and the football team. We're faced with adversity, but we're going to make something that's good out of this. It's the same with Penn State.

Something bad happened here and we can't forget about that. We have to make that right and we have to continue to be a national leader in the fight against child sexual abuse but we're going to move ahead. We're going to make this an even better university. We're going to learn from it. We're going to be even better and stronger as a result of all of the things we put in place over the course of the past year and in the coming year.

There's also a sense of a lot of admiration for the way Penn State has responded to these challenges. We continue to want and try to do the right thing and to focus on our core mission, which is teaching, research and service and we'll emerge a stronger university.

Q. The university has emerged as a leader in child sexual abuse. Does that translate at all, or is there any renewed emphasis, or will there be in the future, on some of the sexual violence that might happen on campus with women, with students?

A. I'm sure that those aspects as well will be addressed in new and different ways. Certainly the whole issue of sexual assault — really against victims of all ages — is a very, very serious problem everywhere and certainly on college campuses around the country. So, you'll see, especially as we expand the network of faculty working in these areas, it also gives us an opportunity to reach beyond and address broader issues in the wider context of society.